

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**IN RE: AUTOMOTIVE PARTS
ANTITRUST LITIGATION**

Master File No. 12-MD-02311

PRODUCT(S):

WIRE HARNESS SYSTEMS

THIS DOCUMENT RELATES TO:

All Actions

**INTERESTED THIRD PARTY/PLAINTIFF MCGUIRE BEARING COMPANY'S
MOTION FOR LEAVE TO FILE AN OPPOSITION TO WIRE HARNESS LITIGATION
PLAINTIFFS' MOTION FOR CASE MANAGEMENT ORDER NO. 3**

Interested third-party/Plaintiff McGuire Bearing Company ("McGuire") has brought an action on behalf of a putative class of direct purchasers of bearings, *McGuire Bearing Co. v. JTEKT Corp.*, No. 2:12-cv-12932-JAC-MAR (filed July 3, 2012) (Dkt. No. 1) (hereafter the "Bearings Litigation"), and anticipates that the matter will be transferred to the Honorable Judge Battani as other cases concerning "automotive bearings" brought by *indirect* purchasers have been.¹ McGuire understands that counsel in the Automotive Wire Harness Systems cases (hereafter the "Wire Harness Litigation") have moved the Court to enter a proposed case management order ("CMO No. 3") that would appoint them as interim co-lead counsel not only in the current cases before the Court, but in "all cases filed in or transferred to this Court in MDL

^{1/} The three indirect purchaser bearings cases transferred to this Court as companion cases to Case No. 12-02311 are *Kaufman v. JTEKT Corp.*, No. 12-12263-MOB-MKM; *Shah v. NSK Ltd.*, No. 12-12680-MOB-MKM; and *Florida Welding Fabricators & Erectors, Inc. v. JTEKT Corp.*, No. 12-cv-12352-MOB-MKM.

2311, *In re: Automotive Parts Antitrust Litigation*.” It thus appears that the proposed CMO No. 3 would encompass the Bearings Litigation if and when it is transferred to Judge Battani and therefore the proposed CMO No. 3 would affect McGuire, its counsel and the role they can play in the Bearings Litigation. Defendants oppose the motion.

McGuire respectfully moves the Court for leave to file an opposition, attached hereto as Exhibit 1, to Wire Harness Litigation plaintiffs’ motion for the Court to enter CMO No. 3 so that McGuire may be heard on the matter as to why the proposed CMO No. 3 is overbroad, premature and contrary to the requirements of Federal Rule of Civil Procedure 23(g).

Dated: July 6, 2012

Respectfully submitted,

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*Counsel for Plaintiff McGuire Bearing Company
and the Proposed Class*

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2012 I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

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